REMARKS

Initially Applicant expresses appreciation to the Examiner for the courtesies extended in the recent discussion of this case with Applicant's representative. The amendments and remarks presented herein are generally consistent with those discussions. Accordingly, entry of this amendment and reconsideration of the pending claims is respectfully requested.

The Final Office Action, mailed March 16, 2007, considered claims 1-30. Claims 15-20 and 28-30 were rejected as being unpatentable under 35 U.S.C § 101 as being directed to non-statutory subject matter. Claims 1-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Balaji* (U.S. Publ. No. 2005/0015439) in view of *Hibbert* ("VisualFlex and XML") and further in view of *Draper* (U.S. Patent No. 6,581,062). [1]

By this paper, claims 1, 3-19 and 21-30 have been amended, claims 2 and 20 cancelled, and no claims added. Accordingly, following this paper, claims 1, 3-19 and 21-30 remain pending, of which claims 1, 15, 21 and 28 are the only independent claims at issue.

1.   **Rejections under 35 U.S.C. § 101**

As noted above, claims 15-20 were rejected as being drawn to non-statutory subject matter. Applicant does not agree with the assertions made in the Office Action. Nevertheless, to expedite prosecution, Applicant has amended the claims to positively recite wherein the updated contact data is accessed and displayed, thereby providing a final result which Applicant respectfully submits is clearly useful, tangible, and concrete.

With regard to the rejections of claims 28-30 on the grounds that the claims are drawn to non-statutory subject matter, Applicant respectfully traverses. In particular, Applicant notes that claims 28-30 are specifically directed to systems which recite one or more processors and one or more computer-readable storage media having stored thereon: (1) contact data; (2) applications; and (3) a contact data control. Thus, claims 28-30 are directed to systems and are products, and not merely a process as noted in the Office Action (*see* p. 3).

In rejecting claims 28-30, the Office Action appears to rely solely on the functional elements of the contact data control, and does not consider the claim as a whole. In particular,

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[1] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

the Office Action notes that the claims recite receiving data, converting data, and storing of data, without any subsequent use or positively recited access. (Office Action, p. 3). Thus, the Office Action notes the existence of the contact control program when rejecting the claim, and appears to place no weight on the existence of the positively recited processors, applications, and contact data.

As noted in the M.P.E.P., "[i]n evaluating whether a claim meets the requirements of section 101, the claim must be considered as a whole to determine whether it is for a particular application of an abstract idea, natural phenomenon, or law of nature, and not for the abstract idea, natural phenomenon, or law of nature itself." (M.P.E.P. § 2106(IV)(C)). Moreover, the mere existence of a computer program such as a contact control does not render the claim non-statutory. Specifically, it must be determined "whether the computer program is being claimed as part of an otherwise statutory manufacture or machine. In such a case, the claim remains statutory irrespective of the fact that a computer program is included in the claim." (M.P.E.P. § 2106.01(I)).

Notably, claims 28-30 recite a system which is statutory without the contact control, in that it recites a computing system having processors which can execute applications and access contact data. Undeniably, a computer with a processor interacting with computer readable storage media is useful, is not an abstract idea, a law of nature, or a natural phenomena, and is therefore statutory. Accordingly, the recited claims, which add a computer program thereto "remains statutory irrespective of the fact that a computer program product is included in the claim."

2. Rejections under 35 U.S.C. § 103(a)

As previously discussed with the Examiner, Applicant's claims are generally directed to methods and computer systems for providing interoperability of contact data stored according to any of a variety of different formats and schemas. For example, as recited in claim 1, a method is disclosed for simplifying access to schematized contact data by an application lacking the configuration to natively access contact data stored on a centralized and single data store. In the claim, a request is received to access contact data from a single and centralized data store, the contact data being stored according to a schema and requested by an application lacking the native capacity to access data in the schematized format. The application then calls an external

contact data control, and thereafter receives requested contact data from the data control in a non-schematized format after it was converted from the schematized format by the data control. The information provided in the non-schematized format is then displayed on a display device as requested by the application, notwithstanding the application being unable to access the schematized data.

Independent claim 21 recites a system generally corresponding to the method of claim 1. Independent claims 15 and 28 recite a method and system, respectively, which generally correspond to the method of claim 1, but in which non-schematized contact data is displayed and updates received, and for which the application then transmits the updates to the data control convert to a schematized format for storage on the centralized, single data store.

As previously discussed with the Examiner, *Balaji* relates to a system in which data is converted between formats. Specifically, a system is disclosed which converts data between a format readable to a client application (non-schematized data) and an XML format (schematized data), so as to allow other applications to read the XML format to read the data stored in format of the client application. Notably, however, while *Balaji* thus discloses converting between formats, it fails to disclose or suggest Applicant's invention as recited in the above claims, whether alone or in combination with the other cited references. For example, *Balaji*, *Hibbert* and *Draper* fail, whether alone or in combination, to disclose or suggest wherein an application receives a request for data stored in centralized and single data store for access to contact information for the application and one or more other applications, as recited in combination with the other claims. Indeed, *Balaji* expressly discloses that each of a plurality of client applications access their own, respective data sources.

In particular, *Balaji* discloses a FAC in which client applications are network connected so as to access the respective data sores having data stored in formats not directly accessible by other client applications. (*Abstract*; ¶ 15). To make the data accessible for other applications, each data source is registered with a schema registry to record the syntax and semantics of the data of the source as a schema definition. (¶ 28). The client applications are also provided with an adapter to allow the client applications to convert data from their respective data sources into XML formatted data and then import the XML formatted data into a FAC database. (¶ 29), and the client application can be modified to utilize the adapter to retrieve or export data from the FAC database into the application. (¶30).

Accordingly, *Balaji* expressly discloses a system in which there are multiple data stores accessible to the client applications, including a FAC database and a respective data store for each client application. This disclosure is directly in contrast with the claimed embodiment in which the plurality of applications access a single and centralized data store for all contact data. Indeed, modification of *Balaji* to include only a centralized data store would change the principals of operation of *Balaji* and render *Balaji* inoperable for its intended purpose. Specifically, eliminating the various client data stores would eliminate the entire preprocessing phase of the system, in which data stores register and transfer data to the FAC database. Moreover, inasmuch as the FAC database obtains all of its data from the individual data stores, removing all of the data stores for the client applications would also eliminate any of the data for transfer to the FAC database.

Accordingly, *Balaji* not only fails to disclose a single and centralized data store for contact data according to a schema not natively accessible to an application, but would be unsuitable for combination with a reference teaching such a data store. Notable, Applicant also respectfully submits that *Hibbert* and *Draper* fail to remedy the deficiencies of *Balaji*. In particular, *Hibbert* generally discloses the use of XML files with Visual DataFlex, in which a DTD is used as a vocabulary to describe data, so that it can be maintained in application databases. (pp. 19-21). *Draper* fails, however, to disclose wherein contact data for multiple applications is maintained in a single, centralized repository and is instead directed to general schemes for describing data.

Similarly, *Draper* discloses a general system for converting between structured data (such as SQL) and semi-structured data (such as XML). (Col. 1, ln. 65 to Col. 2, ln. 14). In the system, a mapper is created to generate a structured organization for a corresponding collection of semi-structured data, along with a table describing how the semi-structured data is stored in the structured organization. (Col. 2, ll. 26-31). Accordingly, *Draper* relates to methods and systems for converting between structured and semi-structured data, but does not have any disclosure regarding the use of the data by multiple applications, let alone that multiple applications use data from a single and centralized data store, as cited in combination with the other claim elements.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will

be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.[2]

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney by telephone at (801) 533-9800.

Dated this 7th day of June, 2007.

Respectfully submitted,
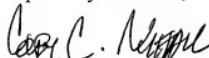
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[2] Specifically, Applicant respectfully requests references which show that the elements as recited in claims 4-11 are "well-known features." In particular, as discussed in the interview on October 17, 2006, the Examiner indicated that these rejections are based on Official Notice. Applicant in the response dated November 21, 2006 specifically requested references for all official notice taken, which request was not satisfied. Accordingly, Applicant respectfully repeats its request for references providing the elements for which official notice is taken, as well as provision of a suggestion or motivation to combine references as required.

The Office Action also states that the elements of claims 4-11 are "outside of the application's inventive crux of data transformation via a schema-based system." Applicant respectfully disagrees. Specifically, inasmuch as these elements are expressly recited in the claims, they are clearly part of an inventive crux of Applicant's invention.

Title: SIMPLIFYING APPLICATION ACCESS TO SCHEMATIZED CONTACT DATA
Inventors: Joel K. Grossman, Vivian Park, Oliver G. Fisher, Cornelis K. van Dok, Joseph J.
Brychell III, and Melissa W. Dunn / Docket No.: 13768.495 / Appl. No.: 10/780,496
Response to Office Action Dated: March 16, 2007
ANNOTATED SHEET
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Fig. 5

547 — Monitor

520

522 — System Memory
(ROM) 524
    Bios 525
(RAM) 525
    Operating System 535
    Application Programs 536
    Other Program Modules 537
    Program Data 538

521 — Processing Unit

523 — System Bus

546

534

533

532

Video Adapter 548

Network Interface 553

Input/Output Interface

Optical Drive Interface

Magnetic Disk Drive Interface

Hard Disk Drive Interface

531 — 530

529

528 — 527

539

Local Area Network 551

Wide Area Network 552

Remote Computer 593

Remote Computer 593

554 — Modem 540

Keyboard 540

542

Operating System 535

Application Programs 536

Other Program Modules 537

Program Data 538